

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**
**Docket No.
(ROS) S11-PC/PC1**
Serial No.
09/068,278

Filing Date
May 5, 1998

Patent No.
Issue Date
Applicant/
Patentee: Locher et al

Invention: Continuous Cable Processing Device

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Schleuniger Holding AG
ADDRESS OF CONCERN: Glutz-Blotzheim-Strasse 3, CH-4502 Solothurn, Switzerland

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 37 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

| | | | |
|-----------|---|--|---|
| FULL NAME | Schleuniger, Inc. | | |
| ADDRESS | 87 Coloin Drive | USA-Manchester, NH 03103 | |
| | <input type="checkbox"/> Individual | <input checked="" type="checkbox"/> Small Business Concern | <input type="checkbox"/> Nonprofit Organization |
| FULL NAME | Schleuniger AG | | |
| ADDRESS | Bierigutstrasse 9 | CH-3608 Thun | |
| | <input type="checkbox"/> Individual | <input checked="" type="checkbox"/> Small Business Concern | <input type="checkbox"/> Nonprofit Organization |
| FULL NAME | Schleuniger Japan Co. Ltd. | | |
| ADDRESS | Grand Palace Tamachi 1F Shibaura 4-9-18, Minato-ku JP-Tokyo 108 | | |
| | <input type="checkbox"/> Individual | <input checked="" type="checkbox"/> Small Business Concern | <input type="checkbox"/> Nonprofit Organization |
| FULL NAME | | | |
| ADDRESS | | | |
| | <input type="checkbox"/> Individual | <input type="checkbox"/> Small Business Concern | <input type="checkbox"/> Nonprofit Organization |

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

| | |
|--|---|
| NAME OF PERSON SIGNING: | Dr. Gerhard Jansen |
| TITLE OF PERSON SIGNING OTHER THAN OWNER: | Geschäftsführer (business director) |
| ADDRESS OF PERSON SIGNING: | Glutz-Blotzheim-Strasse 3 CH-4502 Solothurn Switzerland |

SIGNATURE:



DATE: Mai 18 1998

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | |
|--|-------------------------------|--------------|
| DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted with Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required) | Attorney Docket Number | ROSS II-PC/P |
| | First Named Inventor | Locher |
| | COMPLETE IF KNOWN | |
| | Application Number | 09 / 068,278 |
| | Filing Date | 7/9/1998 |
| | Art Unit | 3722 |
| | Examiner Name | Cadugan, E. |

As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Continuous Cable Processing Device

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

09/23/1997

as United States Application Number or PCT International

Application Number PCT/EP93/05216 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|-------------------------------------|-------------|----------------------------------|--------------------------|--------------------------|-------------------------------------|
| | | | | YES | NO |
| 2329/36 PCT/EP96/04790 | Switzerland | 09/23/1996 11/04/1996 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

| | | | | | |
|---|--|-----------|---------------------------|---|-------------|
| Direct all correspondence to: <input type="checkbox"/> Customer Number or Bar Code Label <input type="text"/> | | | | OR <input type="checkbox"/> Correspondence address below | |
| Name | | | | | |
| Address | | | | | |
| City | | | State | | ZIP |
| Country | | Telephone | | | Fax |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | | | |
| NAME OF SOLE OR FIRST INVENTOR : | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | | Family Name or Surname | | |
| Inventor's Signature | | | | | Date |
| Residence: City | | State | Country | | Citizenship |
| Mailing Address | | | | | |
| City | | State | ZIP | Country | |
| NAME OF SECOND INVENTOR: | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | | Family Name or Surname | | |
| Inventor's Signature | | | | | Date |
| Residence: City | | State | Country | | Citizenship |
| Mailing Address | | | | | |
| City | | State | ZIP | Country | |
| <input type="checkbox"/> Additional inventors are being named on the ____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto. | | | | | |

Docket No.
(ROS) S11-PC/PC1/US

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Continuous Cable Processing Device

the specification of which

(check one)

- ☐ is attached hereto.
- ☒ was filed on May 5, 1998 as United States Application No. or PCT International Application Number 09/068,278 and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

| | | | |
|-------------------|--------------------|------------------------|--------------------------|
| <u>2329/96</u> | <u>Switzerland</u> | <u>23/09/1996</u> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| <u> </u> | <u> </u> | <u> </u> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |
| <u> </u> | <u> </u> | <u> </u> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | |

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/EP97/05216

23 September 1997

Pending

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

M. Robert Kestenbaum Reg. No. 20, 430

Send Correspondence to: **M. Robert Kestenbaum**
11011 Bermuda Dunes NE
Albuquerque, New Mexico 87111

Direct Telephone Calls to: (name and telephone number)
M. Robert Kestenbaum (505) 323-0771 Fax (505) 323-0865

| | |
|---|-------------------------|
| Full name of sole or first inventor Beat Locher | |
| Sole or first inventor's signature <i>B. Locher</i> | Date 2.6.1998 |
| Residence Thun | |
| Citizenship Swiss | |
| Post Office Address Biergutstrasse 9 | |
| CH-3608 Thun, Switzerland | |

| | |
|---|----------------------------|
| Full name of second inventor, if any Jiri Stephan | |
| Second inventor's signature <i>J. Stephan</i> | Date 26. v. 1998 |
| Residence Sargans | |
| Citizenship Swiss | |
| Post Office Address St. Gallerstrasse 76 | |
| CH-7320 Sargans, Switzerland | |

PATENTS ONLY

Pat. No.: (R09) S11-PC/PCI #4

09/068278

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Beat Locher 06/02/1998

Jiri Stepan 05/26/1998

2. Name and address of receiving party(ies):

Name: Schleuniger Holding AG

Internal Address: _____

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other _____

Street Address: Glutz-Blotzheim-Strasse 3

CH-4502 Solothurn, Switzerland

City: _____ State: NA ZIP: _____

Execution Date: 05/26/1998 & 06/02/1998

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/068,278

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: M. Robert Kestenbaum

Internal Address: _____

Street Address: 11011 Bermuda Dunes NE

07/27/1999 WCLAYBRO 00000043 110665 09068278

02 FC-581 Albuquerque 40.00 CH

State: NM ZIP: 87111

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☒ Authorized to be charged to deposit account

8. Deposit account number:

11-0665

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

M. Robert Kestenbaum

M. Kestenbaum

July 5, 1998

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 3

PATENTS ONLY

Tab settings → → → ▼ ▼ ▼ ▼ ▼ ▼ ▼ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Beat Locher 06/02/1998
Jiri Stepan 05/26/1998

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: 05/26/1998 & 06/02/1998

2. Name and address of receiving party(ies):

Name: Schleuniger Holding AG

Internal Address: _____

Street Address: Glutz-Blotzheim-Strasse 3

CH-4502 Solothurn, Switzerland

City: _____ State: NA ZIP: _____

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/068,278

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: M. Robert Kestenbaum

Internal Address: _____

Street Address: 11011 Bermuda Dunes NE

City: Albuquerque State: NM ZIP: 87111

6. Total number of applications and patents involved: **1**

7. Total fee (37 CFR 3.41):.....\$ 40.00

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☒ Authorized to be charged to deposit account

8. Deposit account number:

11-0665

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

M. Robert Kestenbaum

Name of Person Signing

Signature

July 5, 1998

Date

Total number of pages including cover sheet, attachments, and document: **3**

(5)

ASSIGNMENT OF APPLICATION FOR PATENT

WHEREAS, the inventors identified below; (hereinafter referred to as ASSIGNORS), have invented a certain invention entitled: Continuous Cable Processing Device, for which application for Letters Patent of the United States (1) was executed on _____, or (2) was filed on 5 May 1998, and received US Serial number 09/068,278, and

WHEREAS, Schleuniger Holding AG, having its principal office at Glutz-Blotzheim-Strasse 3, CH-4502 Solothurn, (hereinafter referred to as ASSIGNEE) is desirous of acquiring the entire interest in the United States in, to and under said invention, said application and the United States Letters Patent to be obtained therefor,

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN, Be it known that in consideration of the payment by ASSIGNEE to ASSIGNORS of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNORS hereby sell, assign, and transfer and confirm the sale, assignment and transfer to ASSIGNEE of the full and exclusive right, title and interest in the United States to said invention, said application, and all Letters Patent of the United States to be obtained on said application, and any continuation, division, renewal, substitute or reissue thereof for the full term or terms for which the same may be granted.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention, said application, said Letters Patent and legal equivalents thereof, as may be known and accessible to

ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain and enforce said invention, said application, said Letters Patent and said equivalents thereof, which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, we have hereunto set hand and seal on the date set forth below.

B. Locher 2.6.1998
First Inventor's Signature Date

Beat Locher
Inventor's Name

Bierigutstrasse 9, CH-3608 Thun, Switzerland
Inventor's Residence

J. Stephan 26.5.1998
Second Inventor's Signature Date

Jiri Stephan
Inventor's Name

St. Gallerstrasse 76, CH-7320 Sargans, Switzerland
Inventor's Residence

69 Rec'd PCT TO

09 JUL 1998

09/068278

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Applicant: Locher et al
US Serial No.: 09/068,278
Filed: May 5, 1998
PCT Number: PCT/EP97/05216
Attorney Docket: (ROS) S11-PC/PC1

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

SUBMISSION OF SMALL ENTITY DECLARATION AND REQUEST FOR
REFUND ON OFFICIAL FILING FEE AND LATE DECLARATION FEE

Ladies and Gentlemen:

The undersigned agent for the above-identified applicants, having herewith forwarded the attached SMALL ENTITY DECLARATION in connection with the above-identified application, requests that the official filing fee \$790.00 be reduced 50% and would now appreciate having \$395.00 credited to his Deposit Account No. 11-0665 in due course. A duplicate copy of this document is attached for this purpose.

Respectfully Submitted,



M. Robert Kestenbaum
11011 Bermuda Dunes NE
Albuquerque, New Mexico 87111
Phone (505) 323-0771
Fax (505) 323-0865

I hereby certify this correspondence is being deposited as first class mail with the US Postal Service in an envelope with adequate postage addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on July 5, 1998.



**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
(ROS) S11-PC/PC1

In Re Application Of: Locher et al

Serial No.
09/068,278

Filing Date
May 5, 1998

Examiner

Group Art Unit

Title: Continuous Cable Processing Device

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is: **Inventors' Declaration and Small Entity Surcharge (\$65)**

**Assignment for Recording under separate cover sheet
Seperate Request for Refund with Small Entity Declaration
Information Disclosure Statement under separate cover sheet**

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **11-0665** as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of **\$65.00**
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.


Signature

Dated: **July 5, 1998**

**M. Robert Kestenbaum
Reg. No. 20,430
11011 Bermuda Dunes NE
Albuquerque, New Mexico 87111
Phone (505) 323-0771
Fax (505) 323-0865**

I certify that this document and fee is being deposited on
July 5, 1998 with the U.S. Postal Service as first
class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.



Signature of Person Mailing Correspondence

M. Robert Kestenbaum

Typed or Printed Name of Person Mailing Correspondence

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Applicant: Locher et al
US Serial No.: 09/068,278
Filed: May 5, 1998
PCT Number: PCT/EP97/05216
Attorney Docket: (ROS) S11-PC/PC1

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

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Respectfully Submitted,

M. Robert Kestenbaum
11011 Bermuda Dunes NE
Albuquerque, New Mexico 87111
Phone (505) 323-0771
Fax (505) 323-0865

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